

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1774

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : MARENTIC ET AL.

Appln. No.: 10/721,589

Filed : NOVEMBER 24, 2003

For : IN-MOLD DIRECT DECORATIVE
TRANSFERS AND PROCESS

Docket No.: I26.12-0003

Group Art Unit: 1744

Examiner: BETELHEM
SHEWAREGED

RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

21 DAY OF August, 2005
[Signature]
PATENT ATTORNEY

Sir:

This is in response to the Office Action mailed on April 27, 2005. The Office Action rejected claims 1-6, 8-11, 39 and 40 and objected to claim 7. With this Response the application continues to include claims 1-11, 39 and 40.

In the Office Action, the Examiner rejected claims 1-6, 8-11, 39 and 40 under 35 U.S.C §102(e) as being anticipated by the Shioda et al. U.S. Patent No. 6,495,295.

Enclosed with this Response are Declarations by Francis J. Marentic and Nickolas E. Westman under 37 C.F.R §1.131 establishing that the invention of this application was conceived and reduced to practice prior to January 19, 2000, which was the filing date of the application that issued into U.S. Patent No. 6,495,295.

As indicated by the enclosed Declaration of Frank J. Marentic, one of the inventors of this application, Mr. Marentic met with Nickolas E. Westman, the patent attorney who filed the application 09/593,594 now U.S. Patent No. 6,682,679) prior to January 19, 2000. As indicated by Mr. Marentic's Declaration and by the Exhibit attached thereto, the invention as defined in independent claims 1 and 12 was clearly disclosed by the inventor to Mr. Westman. Mr. Westman's Declaration includes Mr. Westman's handwritten notes of that meeting which occurred prior to January 19, 2000, Mr. Westman's Declaration and Exhibit attached thereto clearly describes the elements of the invention defined in independent claims 1 and 12.


After this meeting this patent application was then diligently pursued and filed as Application/Serial No. 09/593,594 on June 14, 2000.

In view of the above, it is respectfully requested that the rejection of claims 1-6, 8-11, 39 and 40 be withdrawn and the claims allowed.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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